

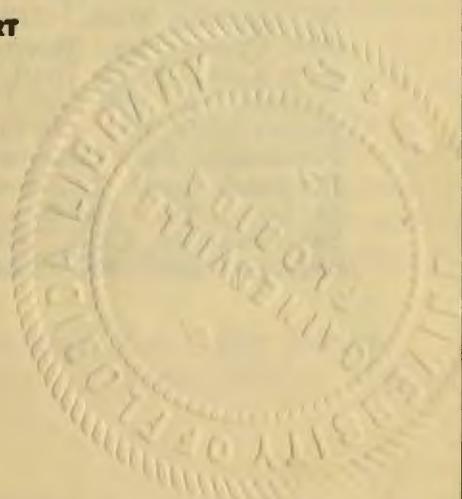
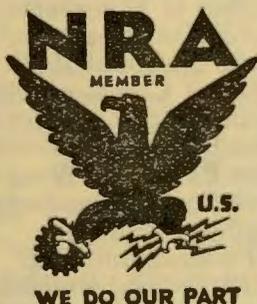
NATIONAL RECOVERY ADMINISTRATION

AMENDMENT TO  
CODE OF FAIR COMPETITION

FOR THE

HOSIERY INDUSTRY

AS APPROVED ON MARCH 8, 1935



UNITED STATES  
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Approved Code No. 16—Amendment No. 5

## AMENDMENT TO CODE OF FAIR COMPETITION

FOR THE

### HOSIERY INDUSTRY

As Approved on March 8, 1935

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#### ORDER

#### APPROVING AMENDMENT OF CODE OF FAIR COMPETITION FOR THE HOSIERY INDUSTRY

An application having been duly made pursuant to and in full compliance with the provisions of Title I of the National Industrial Recovery Act, approved June 16, 1933 for approval of an amendment to a Code of Fair Competition for the Hosiery Industry, and hearings having been duly held thereon and the annexed report on said amendment, containing findings with respect thereto, having been made and directed to the President:

NOW, THEREFORE, on behalf of the President of the United States, the National Industrial Recovery Board, pursuant to authority vested in it by Executive Orders of the President, including Executive Order No. 6859, and otherwise; does hereby incorporate, by reference, said annexed report, and does find that said amendment and the Code as constituted after being amended comply in all respects with the pertinent provisions and will promote the policy and purposes of said Title of said Act, and does hereby order that said amendment be and it is hereby approved, and that the previous approval of said Code is hereby amended to include an approval of said Code in its entirety as amended.

NATIONAL INDUSTRIAL RECOVERY BOARD,  
By W. A. HARRIMAN, *Administrative Officer.*

Approval recommended:

PRENTISS L. COONLEY,  
*Divisional Administrator.*

WASHINGTON, D. C.,  
March 8, 1935.

## REPORT TO THE PRESIDENT

The PRESIDENT,  
*The White House.*

SIR: This is a report on the Hearing covering the Amendment to the Code of Fair Competition for the Hosiery Industry, held in Room 3204, Department of Commerce Building, Washington, D. C., Friday March 9, 1934. (Afternoon session.) The Amendment, which is attached, was presented by a duly qualified and authorized representative of the Code Authority for the Hosiery Industry, complying with statutory requirements and being the Agency that is administering the Code.

In accordance with customary procedure every person who had filed a request for appearance was freely heard in public and all statutory and regulatory requirements were complied with.

### PROVISIONS OF THE AMENDMENT

The amendment fixes the working hours and minimum wages of those employees previously excepted from the wage and hour provisions of the Code such as repair shop crews, engineers, electricians, etc.

### FINDINGS

The Deputy Administrator in his final report to the National Industrial Recovery Board on said amendments to said Code having found as herein set forth and on the basis of all the proceedings in this matter:

The National Industrial Recovery Board finds that:

(a) The amendment to said Code and the Code as amended are well designed to promote the policies and purposes of Title I of the National Industrial Recovery Act including the removal of obstructions to the free flow of interstate and foreign commerce which tend to diminish the amount thereof, and will provide for the general welfare by promoting the organization of industry for the purpose of cooperative action among trade groups, by inducing and maintaining united action of labor and management under adequate governmental sanction and supervision, by eliminating unfair competitive practices, by promoting the fullest possible utilization of the present productive capacity of industries, by avoiding undue restriction of production (except as may be temporarily required), by increasing the consumption of industrial and agricultural products through increasing purchasing power, by reducing and relieving unemployment, by improving the standards of labor, and by otherwise rehabilitating industry.

(b) The Code as amended complies in all respects with the pertinent provisions of said Title of said Act, including without limita-

tion Subsection (a) of Section 3, Subsection (a) of Section 7, and Subsection (b) of Section 10 thereof.

(c) The Code empowers the Code Authority to present the aforesaid amendment on behalf of the Industry as a whole.

(d) The amendment and the Code as amended are not designed to and will not permit monopolies or monopolistic practices.

(e) The amendment and the Code as amended are not designed to and will not eliminate or oppress small enterprises and will not operate to discriminate against them.

(f) Those engaged in other steps of the economic process have not been deprived of the right to be heard prior to approval of said amendment.

For those reasons this amendment has been approved.

For the National Industrial Recovery Board:

W. A. HARRIMAN,  
*Administrative Officer.*

MARCH 8, 1935.

## AMENDMENT TO CODE OF FAIR COMPETITION FOR THE HOSIERY INDUSTRY

Amend ARTICLE IV, by cancelling Sections 1, 2, 3, 4, and 6, and substituting therefor the following:

1. No person in the Hosiery Industry shall employ any employee in productive operations in excess of forty (40) hours per week.

2. (a) No person employed in clerical or office work shall be permitted to work in excess of forty (40) hours in any one (1) week, except that during six (6) weeks of the period beginning January 1 and ending June 30 of any year, and during six (6) weeks of the period beginning July 1 and ending December 31 of any year, such employees may be permitted to work not more than an additional eight (8) hours per week, provided that not less than one and one-half ( $1\frac{1}{2}$ ) times the calculable hourly rate for such employees is paid for any and all such additional hours as may be worked. The "hourly rate" shall be calculated by dividing the weekly salary or wage of the employee by forty (40).

(b) The provisions of this Article shall not apply to outside salesmen, or to persons employed in a supervisory, managerial or executive capacity who regularly earn thirty-five dollars (\$35.00) per week or more.

(c) Persons employed in a supervisory capacity wholly engaged in non-productive work who regularly earn less than thirty-five dollars (\$35.00) per week but not less than fifty cents (\$0.50) per hour, also engineers, firemen, electricians, machinists, repair-shop men, shipping force, cleaners and outside workers shall not be permitted to work in excess of forty-four (44) hours in any one (1) week.

(d) Watchmen shall not be permitted to work in excess of fifty-six (56) hours in any one (1) week, nor shall any watchmen be permitted to work in excess of six (6) days in any seven (7) day period.

3. Employees when engaged in emergency maintenance and repair work, involving breakdowns or protection of life or property, may be permitted to work in excess of the maximum number of hours prescribed by this Code, provided that all such extra hours are compensated for at not less than one and one-half ( $1\frac{1}{2}$ ) times the regular or calculable hourly rate. In the case of an employee not paid regularly on an hourly basis, his hourly rate shall be calculated by dividing his weekly pay by the number hours he may work per week under the provisions of the Code.

4. (a) Dyehouse workers may be employed in excess of forty (40) hours per week only to the extent necessary to finish a batch or to complete a continuous process, provided that all hours beyond forty (40) per week be compensated for at not less than one and one-half ( $1\frac{1}{2}$ ) times the regular or calculable hourly rate. The "hourly rate" shall be calculated by dividing the weekly salary or wage by forty (40).

(b) Machine fixers may be employed in excess of forty-four (44) hours per week only to the extent necessary to make machine repairs and machine changes, provided that all hours beyond nine (9) per day or forty-four (44) per week be paid for at not less than one and one-half ( $1\frac{1}{2}$ ) times the regular or calculable hourly rate. The "hourly rate" shall be calculated by dividing the weekly salary or wage by forty-four (44).

6. The productive operations of a plant shall not exceed two (2) shifts of forty (40) hours each per week. The work week for productive operations shall not exceed five (5) days of eight (8) hours each. These days shall be Monday to Friday, inclusive, except in those states where the state laws operate to prevent the operation of two forty (40) hour shifts within the mentioned five (5) days. In such states, employers may operate one shift on Saturday, not to exceed six (6) hours ending at noon, provided that such employers utilize the maximum hours possible under state laws and under this Code in the preceding five (5) days, and provided further, that in no event shall total machine hours exceed eighty (80) hours in any one week in any plant.

Amend ARTICLE V, Section 9, by cancelling the present Section 9 and substituting therefor the following:

9. The minimum wages of all employees not specified in Sections 1 and 2 of this Article, on the basis of forty (40) hours' labor per week, shall be at the following rates:

Engineers -----	}	<i>North</i>	<i>South</i>
Electricians -----			
Machinists -----			
Repairshop men -----			
Skilled Dyehouse workers (including dyeing machine and kettle operators) -----	}	\$18. 00	\$16. 25
Office workers -----			
Firemen -----			
Unskilled Dyehouse workers -----			
Shipping Force -----			
Watchmen -----		\$13. 00	\$12. 00
Cleaners -----			
Outside workers -----			
All others -----			

Approved Code No. 16—Amendment No. 5.  
Registry No. 241-02.



